



Lessard-Sams Outdoor Heritage Council

Hardwood Hills Habitat Conservation Program
Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 07/28/2023

Project Title: Hardwood Hills Habitat Conservation Program

Funds Recommended: \$1,894,000

Legislative Citation: ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 3(a)

Appropriation Language: \$1,894,000 the first year is to the commissioner of natural resources for agreements to acquire permanent conservation easements and restore and enhance forest habitats in the hardwood hills ecological section of west-central Minnesota as follows: \$175,000 to St. John's University and \$1,719,000 to Minnesota Land Trust. \$168,000 of the amount to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

Manager Information

Manager's Name: Wayne Ostlie

Title: Director of Land Protection

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Location Information

County Location(s): Otter Tail and Stearns.

Eco regions in which work will take place:

- Forest / Prairie Transition

Activity types:

- Protect in Easement

Priority resources addressed by activity:

- Forest

Narrative

Abstract

The Hardwood Hills Habitat Conservation Program is focused on the protection of remaining high-quality forest systems and their associated biota within the Hardwood Hills ecological section of west-central Minnesota. Over 60 percent of forests in the Hardwood Hills have been lost to conversion over the past century, with lakeshore development and growth along the I-94 corridor near St. Cloud posing significant threats. In this first phase of the program, Minnesota Land Trust and Saint John's University will protect via permanent conservation easement 450 acres of priority forest and wetland habitats within the Avon Hills portion of the program area.

Design and Scope of Work

The Hardwood Hills subsection is an ecologically rich landscape in west-central Minnesota, where forests meet prairies. It encompasses approximately 3.5 million acres and consists of steep slopes and high rolling hills that were formed during the last ice age when massive glaciers sculpted the region. Scattered between these rolling hills are abundant kettle lakes and wetlands; many of these are small, but the region also contains more than 400 lakes larger than 160 acres.

This transition zone includes a diversity of forest, prairie, and savanna habitats, numerous lakes and wetlands, and abundant wildlife, including 85 Species in Greatest Conservation Need (SGCN). Our overarching program goal is to afford protection to the remaining high-quality ecological systems and their associated species in the Hardwood Hills, as represented in the State's Wildlife Action Network.

The Hardwood Hills is under great development pressure, especially in the southern portions of the subsection towards St. Cloud. In this first phase of the Hardwood Hills Habitat Conservation program, we are prioritizing the southern portion of the Hardwood Hills, known as the Avon Hills, where threat is greatest. The Avon Hills area is a 65,000 acre natural landscape located just 15 miles northwest of St. Cloud. This hilly glacial moraine landscape rises from the surrounding farmland; it contains the highest concentration of native plant communities in Stearns County, including oak and maple-basswood forests, tamarack and mixed-hardwood swamps, and wet meadows. It harbors numerous rare species, including American ginseng, cerulean warbler, red-shouldered hawk, and Blanding's turtle. The area has been identified as a Conservation Focus Area in Minnesota DNR's Wildlife Action Plan 2015-2025 and is consistent with conservation overlay district priorities of the Stearns County 2030 Comprehensive Plan. It is also a designated Audubon Important Bird Area.

The Minnesota Land Trust (MLT) and Saint John's University (SJU) have a long-standing and successful partnership to protect and restore the Avon Hills. Our goal is to permanently protect 70% of the Avon Hills (about 25,000 acres) over the next 20 years. With the assistance of the State of Minnesota and conservation-minded landowners, 6,647 acres of the Avon Hills have already been protected (>26.5% of our ambitious goal). The US Fish and Wildlife Service and other conservation entities have also prioritized protection efforts here, which indicates the importance of the region. Much of the Avon Hills is privately owned; high development pressure continues to elevate and threaten critical pieces of the existing ecosystem.

Program partners will secure conservation easements from willing landowners to protect the highest quality

wildlife habitat remaining within the Hardwood Hills. Employing a market-based approach to identifying and procuring easements, program partners will encourage landowners to donate significant portions of their easement value, representing a significant cost savings to the state.

Saint John's University will serve as the primary local partner, conducting outreach within our priority areas and assisting with project selection. The Minnesota Land Trust will secure the conservation easements and steward them in perpetuity.

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

Permanently protecting the unique and threatened forest systems of the Hardwood Hills is critical to maintaining native plant and wildlife biodiversity in Minnesota. This is especially true for migratory songbirds and other avian species that rely on this broadleaf forest system for food and shelter along the larger Mississippi Flyway.

Upland deciduous (Hardwood) and Upland deciduous (Aspen-Oak) forests are considered key habitats for SGCN within the Hardwood Hills. Habitat loss and degradation impact 86 percent of the SGCN occurring within the program area. Land protection efforts will directly benefit a significant percent of the 85 SGCN that occur in the program area, including; red-shouldered hawk, Blanding's turtle, and four-toed salamander, common mudpuppy, red-shouldered hawk, veery, least weasel, fluted-shell mollusk, least darter, smooth green snake, and pollinators such as bumblebees and yellow swallowtail butterflies.

Land protection work will be focused on building complexes of protected habitat by linking together protected lands into a greater whole. With 92 percent of forest lands in the Hardwood Hills in private ownership, conservation easements can play a pivotal role in ensuring long-term protection of these critical forest resources.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

This program is focused on protecting priority forest and wetland habitats within Hardwood Hills subsection as guided by the State Wildlife Action Plan and the Minnesota Biological Survey (MBS). Specific parcels will be evaluated and prioritized for protection among the pool of applicants. This relative ranking is based on three primary ecological factors (1. amount of habitat on the parcel (size) and abundance of SGCN; 2. the quality or condition of habitat; and 3. the parcel's context relative to other natural habitats and protected areas) and the level of payment the landowner is willing to accept (cost).

The program serves to build upon past conservation investments in the program area, expand the footprint of existing protected areas, facilitate the protection of habitat corridors and reduce the potential for fragmentation of existing habitats. Minnesota Biological Survey data is cornerstone to our assessment of potential conservation easement acquisitions; we also conduct field visits to further identify and assess condition of habitats prior to easement acquisition, because many private lands were not formally assessed through MBS.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H1 Protect priority land habitats
- LU8 Protect large blocks of forest land

Which two other plans are addressed in this program?

- Minnesota's Wildlife Action Plan 2015-2025
- Outdoor Heritage Fund: A 25 Year Framework

Which LSOHC section priorities are addressed in this program?

Outcomes

Programs in forest-prairie transition region:

- Protected, restored, and enhanced nesting and migratory habitat for waterfowl, upland birds, and species of greatest conservation need ~ *This program will permanently protect 450 acres of forest and wetland habitat in the forest-prairie transition region. Measure: Acres protected; acres restored; acres enhanced.*

Does this program include leveraged funding?

Yes

Explain the leverage:

Through its market-based RFP process, the Land Trust expects private landowners to donate at least \$220,000 in easement value toward the program, which is shown as leverage.

Per MS 97A.056, Subd. 24, Please explain whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

Funding provided to MLT and SJU from the Outdoor Heritage Fund through this proposal will not supplant or substitute any previous funding from a non-Legacy fund used for the same purpose.

How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended?

The land protected through conservation easements will be sustained through state-of-the-art standards and practices for conservation easement stewardship. The Minnesota Land Trust is a nationally accredited land trust with a very successful stewardship program that includes annual property monitoring, effective records management, addressing inquiries and interpretations, tracking changes in ownership, investigating potential violations, and defending the easement in cases of a true violation. Funding for these easement stewardship activities is included in the project budget.

In addition, MLT will assist landowners in the development of comprehensive habitat management plans to help ensure that the land will be managed for its wildlife and water quality benefits. The Land Trust and SJU will work with landowners on an ongoing basis to provide habitat restoration plans, resources, and technical expertise to undertake restoration, enhancement and ongoing management of these properties.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2027 and in perpetuity	MLT Long-Term Stewardship and Enforcement Fund	Annual monitoring of easements in perpetuity	Enforcement as necessary	-

Provide an assessment of how your program celebrates cultural diversity or reaches diverse communities in Minnesota, including reaching low- and moderate-income households:

One of MLT's core public values is a commitment to diversity, equity, and inclusion. Similarly, Saint John's University core Benedictine value of respect for human dignity requires respect to embrace the marginalized, and break down the privileges that exclude those who are different or disadvantaged.

The Land Trust has recently concluded a two-year process to assess how the conservation community—and the Minnesota Land Trust in particular—can better address these issues. To date, we have demonstrated this commitment when possible given the funding parameters and our unique role in working with private landowners, including numerous projects to protect the camps and nature centers that serve a diversity of Minnesota youth and a long-term partnership with the Fond du Lac Band of Lake Superior Chippewa on wild rice restoration.

Going forward, MLT intends to build on this engagement by using diversity, equity, and inclusion as a lens in project, partner, and contractor selection. In each of our program areas, we intend to listen and seek out potential, authentic partnerships that can advance our goals of conserving the best of Minnesota's remaining habitats and, at the same time, being a more inclusive organization. One related program the Land Trust recently launched is the "Ambassador Lands Program" which connects willing conservation landowners to diverse community groups that desire access to private land for a variety of programming purposes, such as youth mentor hunts, cultural or ceremonial use, conservation employment training, nature based education, and much more. This would add greatly to the more universal public benefits of conserved lands such as wildlife habitat, clean water, and climate mitigation.

Saint John's University initiated a campus-wide endeavor in 2018 to support programs focused on inclusive community building. Through that undertaking, SJU assembled an Outdoor U Inclusivity Team which has begun the work of broadening access to Outdoor U's services and programs to underrepresented and marginalized students in a welcoming and safe environment.

Finally, as program partners, we both welcome more conversations with the LSOHC and conservation community about how these values can be better manifested in all our shared work going forward.

Activity Details

Requirements

If funded, this program will meet all applicable criteria set forth in MS 97A.056?

Yes

Is the land you plan to acquire (easement) free of any other permanent protection?

Yes

Who will manage the easement?

Minnesota Land Trust will manage the easements procured through this grant.

Who will be the easement holder?

Minnesota Land Trust will be the easement holder of easements procured through this grant.

What is the anticipated number of easements (range is fine) you plan to accomplish with this appropriation?

The Land Trust expects to acquire 4-7 conservation easements through this appropriation, depending on size and cost.

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program?

Yes

Explain what will be planted:

The purpose of the Land Trust's conservation easements is to protect existing high quality natural habitat and to preserve opportunities for future restoration. We restrict agricultural lands and use on the properties. In cases where there are agricultural lands associated with the larger property, we will either exclude the agricultural area from the conservation easement, or in some limited cases, we may include a small percentage of agricultural lands if it is not feasible to exclude those areas. In such cases, however, we will not use OHF funds to pay the landowners for that portion of the conservation easement.

Will the eased land be open for public use?

No

Are there currently trails or roads on any of the proposed acquisitions?

Yes

Describe the types of trails or roads and the allowable uses:

Most conservation easements are established on private lands, many of which have driveways, field roads and trails located on them. Often, the conservation easement permits the continued usage of established trails and roads so long as their use does not significantly impact the conservation values of the property. Creation of new roads/trails or expansion of existing ones would typically not allowed or require Land Trust approval.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition?

Yes

How will maintenance and monitoring be accomplished?

Existing trails and roads are identified in the project baseline report and will be monitored annually as part of the Land Trust's stewardship and enforcement protocols. Maintenance of permitted roads/trails in accordance with the terms of the easement will be the responsibility of the landowner.

Will new trails or roads be developed or improved as a result of the OHF acquisition?

No

Will the acquired parcels be restored or enhanced within this appropriation?

No

Our priority for land protection is intact natural habitats. If some portion of a protected property requires restoration, the property will be evaluated and funding sought after developing the restoration plan and detailed cost estimates.

Will the land that you acquire (fee or easement) be restored or enhanced within this program's funding and availability?

No

Explain how, when, and source of the R/E work:

Our priority for land protection is intact natural habitats. If some portion of a protected property requires restoration, the property will be evaluated and funding sought after developing the restoration plan and detailed cost estimates.

Timeline

Activity Name	Estimated Completion Date
Conservation easements completed	June 30, 2027

Date of Final Report Submission: 11/01/2027

Availability of Appropriation: Subd. 7. Availability of Appropriation

(a) Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Money appropriated to acquire land in fee may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

(b) Money appropriated in this section is available as follows:

- (1) money appropriated for acquiring real property is available until June 30, 2027;
- (2) money appropriated for restoring and enhancing land acquired with an appropriation in this act is available for four years after the acquisition date with a maximum end date of June 30, 2031;
- (3) money appropriated for restoring or enhancing other land is available until June 30, 2028;
- (4) notwithstanding clauses (1) to (3), money appropriated for a project that receives at least 15 percent of its funding from federal funds is available until a date sufficient to match the availability of federal funding to a maximum of six years if the federal funding was confirmed and included in the original approved draft accomplishment plan; and
- (5) money appropriated for other projects is available until the end of the fiscal year in which it is appropriated.

Budget

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan.

Grand Totals Across All Partnerships

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$268,000	-	-	\$268,000
Contracts	\$110,000	-	-	\$110,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$1,138,000	\$227,000	-, Landowners	\$1,365,000
Easement Stewardship	\$168,000	-	-	\$168,000
Travel	\$10,000	-	-	\$10,000
Professional Services	\$113,000	-	-	\$113,000
Direct Support Services	\$51,000	-	-	\$51,000
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$1,000	-	-	\$1,000
Supplies/Materials	\$35,000	-	-	\$35,000
DNR IDP	-	-	-	-
Grand Total	\$1,894,000	\$227,000	-	\$2,121,000

Partner: St. Johns University**Totals**

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$80,000	-	-	\$80,000
Contracts	\$60,000	-	-	\$60,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	-	-	-	-
Easement Stewardship	-	-	-	-
Travel	-	-	-	-
Professional Services	-	-	-	-
Direct Support Services	-	-	-	-
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	\$35,000	-	-	\$35,000
DNR IDP	-	-	-	-
Grand Total	\$175,000	-	-	\$175,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
SJU Staff	0.1	4.0	\$80,000	-	-	\$80,000

Partner: Minnesota Land Trust**Totals**

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$188,000	-	-	\$188,000
Contracts	\$50,000	-	-	\$50,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$1,138,000	\$227,000	Landowners	\$1,365,000
Easement Stewardship	\$168,000	-	-	\$168,000
Travel	\$10,000	-	-	\$10,000
Professional Services	\$113,000	-	-	\$113,000
Direct Support Services	\$51,000	-	-	\$51,000
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$1,000	-	-	\$1,000
Supplies/Materials	-	-	-	-
DNR IDP	-	-	-	-
Grand Total	\$1,719,000	\$227,000	-	\$1,946,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
MLT Protection Staff	0.47	4.0	\$188,000	-	-	\$188,000

Amount of Request: \$1,894,000**Amount of Leverage:** \$227,000**Leverage as a percent of the Request:** 11.99%**DSS + Personnel:** \$319,000**As a % of the total request:** 16.84%**Easement Stewardship:** \$168,000**As a % of the Easement Acquisition:** 14.76%

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?

SJU's activities have been funded in full.

MLT received 41% of its request. Easement acquisition was sustained at 38%, a modest reduction over proportional due to the necessity to retain funds in personnel and land acquisition costs (professional services, contracts, etc.) to close projects and build out our new program.

Describe and explain leverage source and confirmation of funds:

Through its market-based RFP process, the Land Trust expects private landowners to donate at least \$220,000 in easement value toward the program, which is shown as leverage.

Personnel

Has funding for these positions been requested in the past?

No

Contracts

What is included in the contracts line?

Funds in the contract line are for the writing of habitat management plans via qualified vendors and engaging Soil and Water Conservation Districts for landowner outreach purposes to facilitate communication of the protection program.

Easement Stewardship

What is the number of easements anticipated, cost per easement for stewardship, and explain how that amount is calculated?

The Land Trust expects to close up to 7 conservation easements under this appropriation. The average cost per easement to fund the Minnesota Land Trust's perpetual monitoring and enforcement obligations is \$24,000, although in extraordinary circumstances additional funding may be warranted. This figure is derived from MLT's detailed stewardship funding "cost analysis" which is consistent with Land Trust Accreditation standards. MLT shares periodic updates to this cost analysis with LSOHC staff.

Travel

Does the amount in the travel line include equipment/vehicle rental?

Yes

Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging

Land Trust staff regularly rents vehicles for grant-related purposes, which is a significant cost savings over use of personal vehicles.

I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:

Yes

Direct Support Services

How did you determine which portions of the Direct Support Services of your shared support services is direct to this program?

In a process that was approved by the DNR on March 17, 2017, Minnesota Land Trust determined our direct support services rate to include all of the allowable direct and necessary expenditures that are not captured in other line items in the budget, which is similar to the Land Trust's proposed federal indirect rate. We applied this DNR-approved rate only to personnel expenses to determine the total amount of direct support services requested through this grant.

Other Equipment/Tools

Give examples of the types of Equipment and Tools that will be purchased?

GPS devices, R/E tools, satellite communicator, safety gear.

Federal Funds

Do you anticipate federal funds as a match for this program?

No

Output Tables**Acres by Resource Type (Table 1)**

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	450	-	450
Enhance	-	-	-	-	-
Total	-	-	450	-	450

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	\$1,894,000	-	\$1,894,000
Enhance	-	-	-	-	-
Total	-	-	\$1,894,000	-	\$1,894,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	450	-	-	-	450
Enhance	-	-	-	-	-	-
Total	-	450	-	-	-	450

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	\$1,894,000	-	-	-	\$1,894,000
Enhance	-	-	-	-	-	-
Total	-	\$1,894,000	-	-	-	\$1,894,000

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	-	\$4,208	-
Enhance	-	-	-	-

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-

Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	\$4,208	-	-	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

Parcels

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

Parcel Information

Sign-up Criteria?

[Yes - Sign up criteria is attached](#)

Explain the process used to identify, prioritize, and select the parcels on your list:

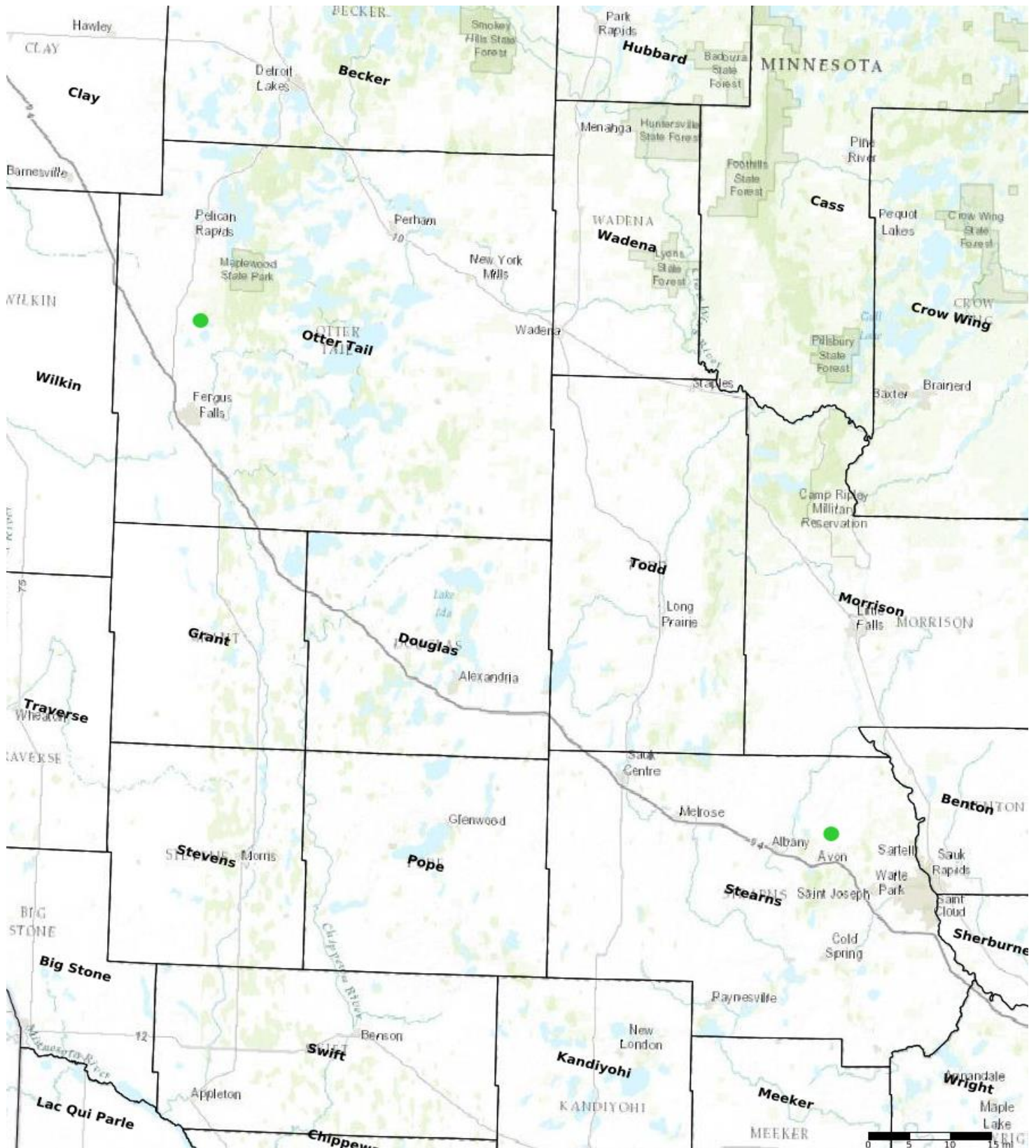
The Land Trust uses a competitive, market-based approach through an RFP process to identify interested landowners and prioritize parcels for conservation easement acquisition. All proposals submitted by landowners are evaluated and ranked relative to their ecological significance based on three primary factors: 1) size of habitat on the parcel; 2) condition of habitat on the parcel; and 3) the context (both in terms of amount/quality of remaining habitat and protected areas) within which the parcel lies.

We also ask the landowner to consider contributing all or a portion of fair market value to enable our funds to make a larger conservation impact (see attached sign-up criteria). We contract with a local SWCD office to provide outreach services as a way to connect effectively with local landowners.

Protect Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Long Lake (Ha)	Otter Tail	13443211	40	\$120,000	No
Avon Hills (SC)	Stearns	12530211	60	\$90,000	No

Parcel Map



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✦ Enhance
- ✦ Other